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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF
AMERICA,

Plaintiff,

vs.

YU SUNG PARK,

Defendant.

) Case No. SA 08-365M (Dft 2)

) **ORDER OF DETENTION**

I

A. (X) On motion of the Government in a case allegedly involving:

1. (X) a crime of violence.

2. () an offense with maximum sentence of life imprisonment or death.

3. () a narcotics or controlled substance offense with maximum sentence of ten or more years.

4. () any felony - where defendant convicted of two or more prior offenses described above.

5. () any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive

1 device or any other dangerous weapon, or a failure to register under 18
2 U.S.C. § 2250.

3 B. ☐ On motion by the Government/ ☐ on Court's own motion, in a
4 case allegedly involving:

5 ☐ On the further allegation by the Government of:

6 1. ☐ a serious risk that the defendant will flee.

7 2. ☐ a serious risk that the defendant will:

8 a. ☐ obstruct or attempt to obstruct justice.

9 b. ☐ threaten, injure or intimidate a prospective witness or
10 juror, or attempt to do so.

11 C. The Government (X) is/ ☐ is not entitled to a rebuttable presumption that
12 no condition or combination of conditions will reasonably assure the
13 defendant's appearance as required and the safety of any person or the
14 community.

15 II

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17 A. ☐ The Court finds that no condition or combination of conditions
18 will reasonably assure:

19 1. ☐ the appearance of the defendant as required.

20 ☐ and/or

21 2. (X) the safety of any person or the community.

22 B. (X) The Court finds that the defendant has not rebutted by sufficient
23 evidence to the contrary the presumption provided by statute.

24 III

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26 The Court has considered:

27 A. the nature and circumstances of the offense(s) charged, including
28 whether the offense is a crime of violence, a Federal crime of terrorism, or

1 involves a minor victim or a controlled substance, firearm, explosive, or
2 destructive device;

3 B. the weight of evidence against the defendant;

4 C. the history and characteristics of the defendant; and

5 D. the nature and seriousness of the danger to any person or the community.
6

7 IV

8 The Court also has considered all the evidence adduced at the hearing and the
9 arguments and/or statements of counsel, and the Pretrial Services
10 Report/recommendation.
11

12 V

13 The Court bases the foregoing finding(s) on the following:

14 A. () As to flight risk:

15 DEFENDANT HAS TO NO TIES TO THIS COMMUNITY. HE IS NOT
16 EMPLOYED. THE PROPOSED SURETIES ARE INSUFFICIENTLY
17 CONNECTED TO HIM TO INSURE HIS APPEARANCE IN COURT.

18 B. (X) As to danger:

19 THE AFFIDAVIT IN SUPPORT OF THE COMPLAINT SUPPORTS A
20 FINDING THAT DEFENDANT TRAVELED IN INTERSTATE COMMERCE
21 WITH THE PURPOSE OF COMMITTING A ROBBERY. HE WAS IN
22 POSSESSION AND/OR CONTROL OF NUMEROUS FIREARMS, SILENCERS
23 AND BULLET PROOF VESTS. DEFENDANT'S CO-DEFENDANT MADE
24 STATEMENTS TO THE CI STATING THAT THE CO-DEFENDANT HAD
25 PREVIOUSLY ENGAGED IN HOME INVASIONS, ROBBERIES AND MURDER.

26 VI

27 A. () The Court finds that a serious risk exists the defendant will:

28 1. () obstruct or attempt to obstruct justice.

